



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
911 NE 11<sup>th</sup> Avenue  
Portland, Oregon 97232-4181



In Reply Refer To:  
FWS/R1/AES/Recovery

MAY 21 2015

Dear Permittee:

Enclosed is your U.S. Fish and Wildlife Service recovery permit issued under section 10(a)(1)(A) of the Endangered Species Act (ESA), 16 U.S.C. 1531 *et seq.*, and its implementing regulations.

Please refer to the permit number in all correspondence and reports concerning permit activities. Engagement in any activity pursuant to this permit constitutes understanding and acceptance of the Special Terms and Conditions attached to your permit.

By accepting this permit and conducting activities authorized by it, you are agreeing to adhere to the attached Special Terms and Conditions. Failure to meet permit Special Terms and Conditions could result in ESA section 9 take violations, or suspension/revocation of this permit.

Please be aware that some species named in your recovery permit may also be listed under various State Endangered Species Acts or otherwise be of special concern to the States. As such, activities affecting those species may not be conducted without first obtaining the appropriate State permits. Possession of a Federal permit does not obviate the need for State authorization.

If you have any questions regarding this matter, please contact Colleen Henson, Regional Recovery Permits Coordinator, at 503-231-6823. Thank you.

Sincerely,

Program Manager for Restoration and  
Endangered Species Classification

Enclosures



DEPARTMENT OF THE INTERIOR  
U.S. FISH & WILDLIFE SERVICE  
Endangered Species Permit Office  
911 NE 11th Avenue  
Portland, OR 97232-4181  
permitsRIES@fws.gov

## FEDERAL FISH AND WILDLIFE PERMIT

### 1. PERMITTEE

WASHINGTON DEPARTMENT OF NATURAL RESOURCES  
SOUTH PUGET SOUND REGION  
950 FARMAN AVE NORTH  
ENUMCLAW, WA 98022  
U.S.A.

2. AUTHORITY-STATUTES  
16 USC 1533(d)

REGULATIONS  
50 CFR 17.32

50 CFR 13

3. NUMBER  
**TE136964-2**

AMENDMENT

### 4. RENEWABLE

☒ YES  
☐ NO

### 5. MAY COPY

☒ YES  
☐ NO

6. EFFECTIVE  
05/21/2015

7. EXPIRES  
05/20/2019

### 8. NAME AND TITLE OF PRINCIPAL OFFICER (If #1 is a business)

ALAN D. MAINWARING  
WILDLIFE BIOLOGIST

### 9. TYPE OF PERMIT

NATIVE THREATENED SP. RECOVERY - T WILDLIFE

### 10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

ON LANDS SPECIFIED WITHIN THE ATTACHED SPECIAL TERMS AND CONDITIONS

### 11. CONDITIONS AND AUTHORIZATIONS

- A. GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 ABOVE, ARE HEREBY MADE A PART OF THIS PERMIT. ALL ACTIVITIES AUTHORIZED HEREIN MUST BE CARRIED OUT IN ACCORD WITH AND FOR THE PURPOSES DESCRIBED IN THE APPLICATION SUBMITTED. CONTINUED VALIDITY, OR RENEWAL, OF THIS PERMIT IS SUBJECT TO COMPLETE AND TIMELY COMPLIANCE WITH ALL APPLICABLE CONDITIONS, INCLUDING THE FILING OF ALL REQUIRED INFORMATION AND REPORTS.
- B. THE VALIDITY OF THIS PERMIT IS ALSO CONDITIONED UPON STRICT OBSERVANCE OF ALL APPLICABLE FOREIGN, STATE, LOCAL, TRIBAL, OR OTHER FEDERAL LAW
- C. VALID FOR USE BY PERMITTEE NAMED ABOVE
- D. Further conditions of authorization are contained in the attached Special Terms and Conditions.

☒ ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

### 12. REPORTING REQUIREMENTS

ANNUAL REPORTS DUE BY 01/31 FOLLOWING EACH CALENDAR YEAR THIS PERMIT IS IN EFFECT.  
See the Special Terms and Conditions for further reporting requirements.

ISSUED BY

TITLE

Program Manager for Restoration and Endangered Species Classification

DATE

05/21/2015

SPECIAL TERMS AND CONDITIONS  
Washington Department of Natural Resources  
South Puget Sound Region

1. This recovery permit was previously issued on February 28, 2011. All Special Terms and Conditions set forth in that permit are hereby superseded by this renewal with changes.
2. Acceptance of this permit serves as evidence that the permittee understands and agrees to abide by the "General Conditions for Native Endangered and Threatened Wildlife Species Permits" and the following regulations: 50 CFR Part 13 (general permit procedures) and/or 50 CFR 17.32 (threatened wildlife), as applicable (copies attached). In addition, the permittee must have all other applicable Federal and State permits prior to the commencement of activities authorized by this permit.

3. Take Authorizations:

The permittee is authorized to take (harass by survey, capture, handle, and release) the bull trout (*Salvelinus confluentus*) for the purpose of determining fish presence associated with stream crossings in conjunction with enhancing its survival, as specified in the permittee's April 28, 2015, renewal with changes request, in accordance with the Special Terms and Conditions stated herein.

4. Geographic Areas:

Permitted activities are restricted to the following geographic areas in Washington:

Named and unnamed streams on lands administered by the Washington State Department of Natural Resources within Grays Harbor, Kitsap, King, Lewis, Mason, Pierce, Snohomish, and Thurston Counties.

5. Authorized Individuals:

Only individuals on the attached List of Authorized Individuals (List) are authorized to conduct activities pursuant to this permit. The List, printed on U.S. Fish and Wildlife Service (Service) letterhead, may identify special conditions or circumstances under which individuals are authorized to conduct activities and must be retained with these Special Terms and Conditions. Each named individual shall be responsible for compliance with the Special Terms and Conditions of this permit.

To request changes to the List, the permittee shall submit a written request to the Recovery Permit Coordinator at the Service's Washington Fish and Wildlife Office (WFWO), 510 Desmond Drive SE, Suite 102, Lacey, Washington 98503 (telephone: 360-753-9440; fax: 360-753-9008). The request shall be submitted at least 30 days prior to the requested effective date. The request shall be signed and dated by the permittee and include:

- a. The name of each individual to be appended to the List, if any;
- b. The title of their current position and employer's name for each individual;
- c. The resume/qualifications statement of each individual to be appended to the List, detailing their experience with bull trout, or similar species, and type of activity for which authorization is requested;
- d. The names and phone numbers of a minimum of two references for each individual to be appended to the List; and
- e. The names of any individuals to be deleted from the List.

Note: This procedure is for personnel changes to the List only. For requests to renew/amend this permit, a complete application must be submitted to the Program Manager for Restoration and Endangered Species Classification at the Service's Pacific Regional Office (PRO), Ecological Services, 911 NE 11th Avenue, Portland, Oregon 97232-4181 (telephone: 503-231-6131; fax: 503-231-6243). An application may be obtained at [www.fws.gov/forms/3-200-55.pdf](http://www.fws.gov/forms/3-200-55.pdf).

6. Taking of the Bull Trout:

The permittee is authorized to harass by survey, capture, handle, and release bull trout within the geographic boundaries specified above, and the time limitation specified in the permit, in accordance with the Special Terms and Conditions stated below:

- a. These activities are conducted in accordance with the work plan (as modified by these Special Terms and Conditions) accompanying the permit application.
- b. All collection methods shall be implemented at times that will avoid disturbance of spawning fish. Any purposeful take of bull trout that are spawning, or are near spawning areas, is prohibited.
- c. The permittee shall take precautions to avoid stepping in areas that may be potential redd locations for resident or fluvial bull trout (*i.e.*, small gravel deposits behind boulders; under overhanging vegetation; near wood debris or logs; or areas of hydraulic influence such as confluences of tributaries, springs, seeps, pool tail crests, or edges of pools), since redds of residential and small fluvial bull trout may be difficult to see due to their small size.
- d. All capture, retention, handling, and observation methods shall be implemented at times that will avoid temperature stress to fish being sampled.

- e. The WFWO shall be notified in writing 10 working days prior to the initiation of electrofishing. Notification shall include the stream(s) where electrofishing will occur, and the county and Washington Administrative Unit (WAU) in which the streams are located (township/range/section may be used as an alternative).
- f. Electrofishing shall be conducted following the Washington Department of Fish and Wildlife Electrofishing Guidelines for Stream Typing (copy attached) or the National Marine Fisheries Service's Guidelines for Electrofishing Waters Containing Salmonids Listed Under the Endangered Species Act, June 2000, which can be found at:  
[http://www.westcoast.fisheries.noaa.gov/publications/reference\\_documents/esa\\_refs/section4d/electro2000.pdf](http://www.westcoast.fisheries.noaa.gov/publications/reference_documents/esa_refs/section4d/electro2000.pdf).
- g. Electrofishing during spring in bull trout habitat runs the risk of injuring or killing alevins or fry that remain in or near the gravels. If salmonid alevins or fry are seen during spring electrofishing, immediately cease the electrofishing activity until the alevins or fry can be identified. If they are determined to be bull trout, terminate electrofishing at the site.
- h. If bull trout are captured or handled:
  - i. Any bull trout captured shall be released as soon as possible, and as close as possible, to the point of capture.
  - ii. If bull trout are held in a tank, a healthy environment for the stressed fish shall be provided and the holding time shall be minimized. Water-to-water transfers, the use of shaded or dark containers, and supplemental oxygen shall all be considered in designing fish handling operations. Any bull trout fry shall be held in a separate container from other fish (including juvenile bull trout) to avoid predation by larger fish during captivity.
  - iii. Prior to conducting activities that may involve handling bull trout, the permittee shall ensure that hands are free of sunscreen, lotion, or insect repellent.

Note: Please note that surveys resulting in no detections of bull trout may not be sufficient for the Service to conclude that bull trout are absent from a site. Bull trout may be difficult to detect under most sampling techniques (especially when occurring in low densities), may not be detected by limited survey efforts, or may only utilize certain stream reaches seasonally.



7. Incidental Take Limitations:

The number of bull trout allowed to be incidentally injured or killed during survey activities conducted pursuant to this permit is two individuals, of all life stages combined (no more than one adult bull trout 305 millimeters in length or larger), each calendar year. In the event that the number of individuals allowed to be incidentally injured or killed is exceeded during performance of permitted activities, the permittee must:

- a. Immediately cease the activity resulting in injury or death. Continuation of the activity is dependent on reauthorization by the PRO. After analysis of the circumstances of the injury or mortality, the PRO may amend, suspend, or revoke this permit.
- b. Immediately notify the Recovery Permit Coordinators at the PRO (telephone: 503-231-6131; fax: 503-231-6243) and the WFWO (telephone: 360-753-9440; fax: 360-753-9008) by telephone or facsimile. Such notification must be followed up in writing to both the PRO and the WFWO within 3 working days. The permittee must provide a written report of the circumstances that led to the injury or mortality including: date, time, and precise location of the injured animal or carcass; disposition of the injured animal or suggested disposition of the dead specimen (see Special Term and Condition 8 below); and a description of the changes in activity protocols that will be implemented to reduce the likelihood of such injury or mortality from reoccurring, if appropriate. The incident shall also be discussed in the annual report that is subsequently submitted to the PRO and the WFWO.
- c. All incidentally killed specimens shall be preserved in accordance with standard museum practices while still providing maximum scientific information. Dead bull trout specimens shall be kept whole and put on ice or frozen. Prior to freezing, a small sample of tissue (*e.g.*, a fin clip approximately 1 square centimeter) shall be preserved in a vial of 95 percent ethanol for genetic analysis. Frozen specimens shall be wrapped directly in aluminum foil to preserve the specimen in a manner that allows for future contaminant analysis. Before expiration of this permit, all preserved specimens shall be properly labeled and deposited with the designated depository (see Special Term and Condition 8 below). The permittee shall supply the depository with a copy of this permit.

8. Designated Depository:

Contact the WFWO for disposition of the specimen.

9. All reports, publications, or other documents that include information gathered under the authority of this permit shall reference this recovery permit by permit number. Copies of such documents shall be provided to the WFWO immediately upon their completion.

Draft documents, raw/field data and notes, and other information resulting from work conducted under the authority of this permit shall be submitted to the Service upon request.

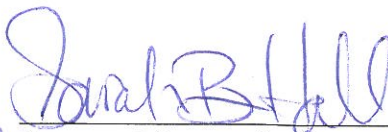
10. Reporting Requirements:

- a. An annual report of activities shall be submitted to the Recovery Permit Coordinators at the PRO and the WFWO by January 31 following each calendar year this permit is in effect. The report shall be in the following format:
  - i. An introduction section addressing reasons and objectives for taking the species;
  - ii. A methods section addressing data collection and analysis procedures, personnel working on the project, and effectiveness of the Special Terms and Conditions in minimizing take of the species;
  - iii. A results section that summarizes the data collected, including information on any other federally listed species detected while conducting activities authorized under this permit; and
  - iv. A conclusion section that specifically provides, at a minimum, application of the results to recommendations for the recovery of the species.
- b. The annual report must include, but need not be limited to, the following information:
  - i. Summary presentation and brief discussion of significant research results and their importance with regards to recovery of the species;
  - ii. Maps and/or descriptions of locations (including GPS/GIS data, as appropriate) where permitted activities occurred;
  - iii. The results of all survey or sampling efforts, including estimates of population size of any federally listed species, if possible;
  - iv. Quantification of take for the species, including numbers of individuals incidentally killed (including dates, locations, and circumstances of lethal take), and an estimate of the numbers of individuals otherwise harmed or harassed;
  - v. The disposition of any injured or dead individuals;
  - vi. Other pertinent observations made during permitted activities regarding the status or ecology of the species; and

- vii. Planned future activities if authorized under this permit.
  - c. Copies of any other Federal and/or State permits required to perform permitted activities shall be submitted with the annual report.
  - d. Submission of annual reports:
    - i. One copy of an annual report (electronic format preferred) is required to be submitted to the Recovery Permit Coordinators at the PRO and the WFWO each calendar year. Annual reports may be submitted electronically to the following email addresses:  
  
PRO: permitsR1ES@fws.gov  
WFWO: permitsWFWO@fws.gov  
  
Add the following subject line to the email: Annual Report for Recovery Permit TE-136964-2.
    - ii. All email file attachments combined are limited to 25 megabytes in size. If electronic files exceed this size limitation, please copy them onto a DVD or CD (preferred submission) or send them as a printed document(s).
  - e. If no permitted activities occurred over the course of a calendar year, indication of such shall be submitted as an annual report.
11. Failure to comply with reporting requirements may result in non-renewal or suspension/revocation of this permit.

MAY 21 2015

Date

  
acting Program Manager for Restoration and  
Endangered Species Classification





# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
911 NE 11<sup>th</sup> Avenue  
Portland, Oregon 97232-4181



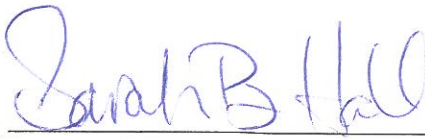
In Reply Refer to:  
FWS/R1/AES/TE-136964-2

LIST OF AUTHORIZED INDIVIDUALS  
Recovery Permit TE-136964-2  
Washington Department of Natural Resources  
South Puget Sound Region

1. Individuals authorized to independently conduct activities pursuant to this permit:  
  
Mike P. Davis (Forester), Justin A. Gardner (Natural Resources Engineer), and Alan D. Mainwaring (Wildlife Biologist),
2. Supervised individuals may conduct activities pursuant to this permit only under the direct, on-site supervision of an independently authorized individual listed above. "On-site supervision" is defined as having the authorized individual at a distance that would allow this individual to proximally assist a supervised individual, as needed, while they are conducting an authorized activity.

MAY 21 2015

Date

*active*   
Program Manager for Restoration and  
Endangered Species Classification

This List is valid only if dated on or after the permit issuance date.